C. B. (I) No. 59

COMMITTEE ON PETITIONS
1954-55

FOURTH REPORT

LOK SABHA SECRETARIAT
NEW DELHI
September, 1954.

CONTENTS

	PAGES
1. Members of the Committee on Petitions . . .	(i)
2. Report	1-2
3. Appendices—	
Appendix I	5
Appendix II	6-7
Appendix III	8-9
Appendix IV	10-11
Appendix V	12

MEMBERS OF THE COMMITTEE ON PETITIONS

1. Shri Kotha Raghuramaiah—*Chairman.*
2. Shri Asim Krishna Dutt.
3. Shri C. P. Mathew.
4. Shri Sohan Lal Dhusiya.
5. Shri Beli Ram Das.
6. Shri Liladhar Joshi.
7. Shri U. R. Bogawat.
8. Shri Jethalal Harikrishna Joshi.
9. Shri Bhola Raut.
10. Shri Resham Lal Jangde.
11. Shrimati Renu Chakravartty.
12. Shri Ramji Verma.
13. Shri P. Subba Rao.
14. Shri Anandchand.
15. Shri P. N. Rajabhoj.

SECRETARIAT

Shri S. L. Shakdher—*Joint Secretary.*

Shri N. N. Mallya—*Deputy Secretary.*

REPORT

I, the Chairman of the Committee on Petitions, having been authorised by the Committee present this their Fourth Report.

2. The Committee at its two sittings held on Tuesday, the 7th September, 1954 and Friday, the 24th September, 1954 considered the following petitions :—

(i) Petition from the inhabitants of States of Bengal, Bombay, Delhi and Hyderabad relating to the Special Marriage Bill, 1952 *(Petition No. 35—Appendix I).*

(ii) Petition from Shri Parameshwar Dass Jain regarding floating of a 'Tax Evaders Loan' to unearth the hidden money of tax evaders *(Petition No. 33—Appendix II).*

(iii) Petition from the employees of the Indian Coffee Board relating to Coffee Market Expansion (Amendment) Bill, 1954 *(Petition No. 34—Appendix III).*

(iv) Petition from the Dyer Meakin Breweries Limited, Himachal Pradesh relating to the Indian Tariff (Second Amendment) Bill, 1954 *(Petition No. 36—Appendix IV).*

(v) Petition from the inhabitants of States of Andhra, Bengal, Bombay, Delhi and Uttar Pradesh relating to the Dowry Restraint Bill 1952 by Shrimati Jayashri Raiji, M.P. and the Restraint of Dowry Bill, 1952 by Shrimati Renu Chakravartty, M.P. *(Petition No. 37—Appendix V).*

3. The Committee considered petition No. 35 relating to the Special Marriage Bill, 1952 which was in conformity with the Rules of Procedure.

As the Bill as passed by the Rajya Sabha was already under consideration of the House the Committee recommend that the petition should be circulated to the members *in extenso,* and the petition was accordingly circulated to the members of the House.

4. The Committee have considered petition No. 33 relating to the floating of "Tax Evaders Loan" to unearth the hidden money of the tax evaders and feel that it would not be in the public interest to encourage floating of such loans on the following, among other grounds, namely :—

(i) the Income-Tax Investigation Commission which has unearthed considerable amount may still be able to do so through the existing number of cases in hand ; and

(ii) floating of such loan may be mis-interpreted by the public as a sign of helplessness on the part of Government.

The Committee, therefore, recommend that no action is necessary on the petition.

5. As regards petition No. 34 the Committee are of the view that the suggestions made in the petition are not fully covered by the Coffee Market Expansion (Amendment) Bill, as amended by the Select Committee. They, therefore, recommend that the House may consider the prayer made in the petition when the Bill is taken up for consideration in the House.

The Committee also recommend that as there are certain important suggestions and proposals made in the petition with respect to the improvement of the working conditions of the employees of the Board and for representation of the Labour on the Board, Government might consider the desirability of suitably incorporating any of them in the Bill or in the rules that may be framed by them under clause 21 of the Bill.

6. Petition No. 36 relates to the Indian Tariff (Second Amendment) Bill, 1954. As the Bill was under the consideration of the House on the 24th September, 1954, the Committee decided that the same should be circulated to the members *in extenso*. The petition was accordingly circulated on the 24th September, 1954.

7. The Committee have also considered petition No. 37 relating to the Dowry Restraint Bill, 1952 by Shrimati Jayashri Raiji, M.P. and the Restraint of Dowry Bill, 1952 by Shrimati Renu Chakravartty, M.P.

The Committee recommend that this petition should be circulated to the members of the House along with the Report.

K. RAGHURAMAIAH,

Chairman,

Committe on Petitions.

NEW DELHI;

The 29th September, 1954.

APPENDICES

APPENDIX I

Petition No. 35

To

LOK SABHA

The humble petition of 13,303 petitioners of Bengal, Bombay, Delhi and Hyderabad States

sheweth,

The petitioners welcome the introduction of the Special Marriage Bill in Parliament but regret that the passing of this piece of social legislation which is long overdue should have been so delayed and urge that this Bill be passed in this Session of Parliament without any further delay.

The petitioners further urge that the benefits sought to be brought into effect by this Bill can be further ensured only if a Bill guaranteeing women's equal right to inheritance is passed in quick succession and therefore stress the need of Parliament accepting such a Bill without any further delay.

And accordingly your petitioners pray that :

(1) A Bill guaranteeing equal right to inheritance to women be passed without any further delay ;

(2) Provisions for enforcing monogamy and legitimacy of children be retained ;

(3) Provision for granting divorce under certain circumstances be retained;

(4) Mutual consent should remain as a ground for divorce after efforts at reconciliation have failed to achieve results ;

(5) Provisions regarding separation from joint property (Clauses 19, 20 as passed by the Council of States) be deleted;

(6) Provisions regarding restitution of conjugal rights (Clause 22 as passed by the Council of States) be deleted.

and your petitioners as in duty bound will ever pray.

APPENDIX II

Petition No. 33

To

LOK SABHA

The humble petition of Shri Parmeshwar Dass Jain, Pleader, resident of Chandni Chowk, Kucha Brijnath, Delhi

sheweth,

1. That there are yet many tax evaders in this country who are not contributing to their share of income-tax and the income so evaded is unaccounted for and lying idle in bank lockers. This hidden money is seldom used by the tax evaders in the business on account of the fear of its coming into the account books and being caught by the Income-tax Officer. Such idle money is a loss to national income with the result that the smooth working of several development plans is disturbed or rather likely to be delayed in the absence of the fund for which the Government expect partly such huge amount from lawful taxes.

2. That the remarkable results of a scheme which was then known as the "Hidden Income Voluntary Disclosure" launched by Mr. Tyagi in 1951 supports the above scheme. The existence of Income-tax Investigation Commission to fight the scrupulous tax evaders is another proof.

3. That by implementing this scheme Government will have, in the least possible period, huge sum of money to meet the expenditure of several development plans and thus will be saving a substantial amount which it has undertaken to pay as interest against loan subscribed under the "National Plan Loan" and other "Loans". Besides all the development plans will be implemented within due time which will be a big success for the Government in the cause of India as a whole.

4. That the loan should be opened for two weeks in the first instance after giving due publicity, a week earlier, and may later on be extended according to the requirement of the fund by the Government.

5. That the amount of loan may not be repaid till the expiry of 5 years or earlier after deducting interest at 6 per cent. on the amount subscribed against the remaining period out of 5 years either *suo motu* by the Government or at the instance of the subscriber of loan. In no case subscribers of the loan be permitted to get the loan redeemed earlier than two years.

6. That the list of subscribers of the loan under reference may be kept confidential and should not slip to any Income-tax Department or any other person. This will bring good response.

7. That if after issuing the above loan there is a result beyond expectation the Government should at once be alert to handle the situation very cautiously to check the tax evasion. If this practice of tax evasion is not stopped there will be inequality among the masses and that will again lower the standard of living of average citizen which will be again intolerable.

8. That the growth of tax evaders will also defeat the main scheme of Estate Duty Act which was enacted recently with the object creating equality among the masses, which is not possible for a very long time to come. Hence the Estate Duty Act be repealed and the House be advised of arranging the affairs in such a way as to declare every tenant or occupier of the building as owner of that part which is occupied by him and he may be asked to pay the price of that part to the landlord by convenient instalments. There will be a little resentment if the House adopts the above scheme as there appear to be only 5 per cent. landlords. If this is done there will be equality in no time.

9. That widows and destitutes who are mainly dependent on the rental income may be exempted from the purview of the scheme.

and accordingly your petitioner prays that

(i) "TAX EVADERS LOAN" be floated at the earliest date.

(ii) Subscribers of this loan be granted immunity from prosecution, penalty and giving account for such amount under the Indian Income-tax Act, 1922. Such concessions are essential as the tax evaders will have to part with the wealth accumulated by killing their conscience.

(iii) The loan should be free from income-tax and without bearing rate of interest in lieu of the above concessions proposed.

(iv) If the response for the above loan is beyond expectation then the scheme laid in para. 8 above may be carried out if the House deem fit.

And your petitioner as in duty bound will ever pray.

APPENDIX III

Petition No. 34

To

LOK SABHA

The humble petition of the employees of the Indian Coffee Board sheweth,

That the Indian Coffee Board has so far pursued a policy which is against the interests of the employees and the consumers.

That the Indian Coffee Board Labour Union which has more than 80 per cent. of the Class IV staff as its members has not been recognised.

That the minimum wage of Class IV staff is as low as Rs. 10 a month, although the Government has accepted a basic minimum wage of Rs. 30 a month in all Central Government and semi-Central Government undertakings.

That the House rent, City Compensatory and other allowances are not given at the same rate as in other semi-Central Government undertakings.

That the Board has taken no steps to stop the ill-treatment of the Class IV employees by their superiors although concrete cases have been sent both to the Board and the Government.

That there are many men-under-training who have been working for years but have not been confirmed, so far.

That similar just and reasonable demands of the workers have not been accepted.

That this policy had been pursued because the three so-called representatives of the labour and the three representatives of consumers in the Board, had been nominated by the Central Government and not elected by the employees of the Coffee Board and the Parliament respectively.

and accordingly your petitioners pray that the following amendments be incorporated in the Coffee Market Expansion (Amendment) Bill now referred to the Select Committee :—

(i) in Section 6(ii) of the Bill, delete the following :

"(x) Three persons to represent labour to be nominated by the Central Government."

and add the following:

"(x) three persons to represent the employees of the Board to be elected by them.

"(xi) four persons to represent the workers in Coffee Plantations in Mysore to be elected by them.

"(xii) two persons to represent the workers of the Coffee Plantations in Coorg to be elected by them.

"(xiii) five persons to represent the workers of the Coffee Plantations in Madras to be elected by them."

(ii) In Section 6(ii) of the Bill, delete the following :

"(xi) two persons to represent the interests of the consumers to be nominated by the Central Government."

and add the following as:

"(xiv) three persons to represent the interests of the consumers to be elected by the Parliament."

(iii) Add the following in Section 6(ii) after 2(A) :—

'*Explanation*—For the purposes of this Section—

(a) "Employees of the Board" means all Class III and Class IV employees including the MUTs.

(b) "Workers of the Coffee Plantations" means both temporary and permanent employees working in Plantations registered under the Act.'

and your petitioners as in duty bound will ever pray.

APPENDIX IV

Petition No. 36

To

LOK SABHA

Whereas a Bill under the name and title of Indian Tariff (Second Amendment) Bill 1954 is under consideration of the Lok Sabha, the humble petition of Dyer Meakin Breweries Ltd., Solan Brewery sheweth,

1. That the present Bill seeks to lift the ban on import of foreign beers cent-per-cent.

The policy in respect of imports of Ale, Beer Porter, Cider and other fermented Liquors during the July/December 1953, January/June 1954 and July/December, 1954 Licensing periods is reproduced below :—

July/December, 1953—40 per cent. of the Best Year's import. [Although licences will be granted separately on the basis of imports of S. Nos. 82, 83, 85 and 89 (Bitters only) respectively they can be utilised for imports of any or all the articles falling under those serial Nos. other than rum. Not more than one-third of the total value of the licence granted under these S. Nos. can be utilised for imports of ale and beer falling under S. No. 82 IV.]

January/June, 1954—40 per cent. of the Best Year's import. [Although licences will be granted separately on the basis of imports of S. Nos. 82, 83, 85 and 89 (Bitters only) respectively they can be utilised for imports of any or all the articles falling under those serial Nos. other than rum. Not more than one-third of the total value of the licence granted under these S. Nos. can be utilised for imports of ale and beer falling under S. No. 82 IV.]

July/December, 1954—40 per cent. of the Best Year's import. [Although licences will be granted separately on the basis of imports of individual S. Nos. 82, 83, 84, 85 and 89 (Bitters only) respectively, they can be utilised for import of any or all the articles falling under those S. Nos. other than rum. As regards ale and beer falling under S. No. 82, not more than 33·1/3 per cent. of the face value of licence granted either under S. No. 82/IV or other Serial Nos., *viz.*, 83, 84, 85 and 89, can be utilised for import of beer and ale.]

2. That the reversal of previous policy of partial protection to the indigenous Industry will be a retrograde step, viewed in the context of national aspirations and the fact that the indigenous Industry is capable of meeting the entire requirements of the country qualitatively and quantitatively.

3. That the unbridled import of foreign beer is likely to jeopardise seriously the growth of the indigenous Industry which, even with the restricted imports, was finding it difficult to compete with the foreign brands, owing to their very low cost of production achieved as a result of large-scale output.

4. That from the policy of partial protection pursued by the Government in the last 2—3 Licensing Periods, we were hoping for further protection. Accordingly, arrangements for stepping up production to meet the country's requirements were being made. The proposed change in the policy will entirely upset this programme.

5. That no doubt there has been proposed a small increase of about 9 annas per bottle in the import duty on foreign beers, but the effect of this increase may be completely nullified by the importers agreeing to curtail their profit margin to some extent or by the foreign manufacturers reducing their export prices. At present the importers are reaping heavy profits in the trade of foreign beers, such profits being estimated at not less than 40 per cent.

6. That the removal of all restrictions on imports of foreign beer will surely enable foreign exporters to dump the Indian Market with foreign products and expose the indigenous industry to a most formidable and unhealthy competition.

7. That even under the policy of partial protection, the indigenous industry handles a fraction of the total beer trade in the country. With the proposed withdrawal of even partial protection, the entire beer trade is likely to pass into the hands of the foreign manufacturers.

8. That the indigenous products are being greatly handicapped due to restrictions imposed by the Excise Authorities on inter-State movement of beer so much so that the stock of beer lying in one State cannot be exported to other States. The foreign beers are, however, free from such restrictions, as duty is collected by the Centre on their entry into India and they are not subjected to any Provincial Excise control. This places the indigenous beers at a great disadvantage when competing with foreign beers.

9. That the withdrawal of protection for the indigenous industry will adversely affect a number of allied Industries and trades, such as Glass Industry, Crown Cork Industry, hessian trade, cottage Industry of straw covers etc. etc.

10. That the withdrawal of protection from the indigenous industry will surely result in reduction of employment in the country, and unnecessary drain on the country's foreign exchange resources.

and accordingly your petitioner prays that

(i) the present policy of the Government with regard to import of beer as announced to be followed in the July/December, 1954 Licensing Period be continued and the indigenous Industry be afforded an opportunity to stand on its own legs, and

(ii) the rate of Customs duty on foreign beer be raised from the proposed Re. 1 per bottle to at least Rs. 1-8-0 per bottle of 27 ozs. and proportionate increase be made in smaller sizes.

and your petitioner, as in duty bound, will ever pray.

APPENDIX V

Petition No. 37

To

LOK SABHA

The humble petition of 15,478 petitioners of the States of Andhra, Bengal, Bombay, Delhi and Uttar Pradesh

sheweth,

The women of India regard taking and giving dowry as a source of the greatest sufferings, corruption and humiliation in the society, which must be ended.

The petitioners demand that this unhealthy custom be banned by legislation and the offenders be given exemplary punishment.

The petitioners regret that the Government has not yet brought forward any comprehensive measure promised at the time of withdrawal of the Dowry Restraint Bill by Shrimati Uma Nehru on the 27th November, 1953.

and accordingly your petitioners pray that:—

(i) the Dowry Restraint Bill, 1952 by Shrimati Jayashri Raiji, M.P. and the Restraint of Dowry Bill, 1952 by Shrimati Renu Chakravartty, M.P. be proceeded with.

and your petitioners as in duty bound will ever pray.

GPID—LAD—939 LS—6-11-54—900